

plicants. The superintendent of each county sanatorium shall keep lists of applications (resident and non-resident) numbered respectively in the order in which they are received. When the conditions warrant the admission of another patient, the superintendent shall give to the applicant who is first upon the resident list, or if there be no resident list then to the applicant who is first upon the non-resident list, an order for examination directed to one of the county examiners of the state sanatorium to determine that said applicant is afflicted with tuberculosis. The fee for each examination by an examining physician shall be three dollars (\$3.00) payable out of the funds of the sanatorium for which the examination is made.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved February 14, 1923.

CHAPTER 20—H. F. No. 588.

An act providing that personal property taxes payable in the year 1923 shall not become or be deemed delinquent until April 1, 1923.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Payment of personal property taxes extended to March 31, 1923.—That all personal property taxes due and payable in the year 1923 shall not become delinquent nor shall any penalty attach to the same until April 1, 1923.

Sec. 2. Penalty to attach April 1, 1923.—All unpaid personal property taxes due and payable in the year 1923 shall be deemed delinquent on April 1 next after they become due, and thereupon a penalty of ten per cent shall attach and be charged upon all such taxes.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved February 14, 1923.

CHAPTER 21—H. F. No. 245.

An act authorizing each city of this state now or hereafter having a population of over 50,000 inhabitants, including each city of the first class now or hereafter having and operating under a home rule charter adopted under and pursuant to Section 36, Article 4, of the State Constitution, to acquire the land necessary for and to construct, erect, maintain, own, operate and manage a public auditorium building, for the use, convenience and benefit of the city and the inhabitants thereof, and to levy and collect necessary taxes therefor, and to issue and sell bonds of the city to defray the cost of acquiring land for and constructing, erecting, and equipping such public auditorium building.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. Application.—For the purposes of this act, the term “city council” shall apply to and include the city council, common council, or other chief governing body of the city.

Sec. 2. City councils may acquire auditoriums.—Each city of this state now or hereafter having a population of over fifty thousand inhabitants, including each such city of the first class now or hereafter having and operating under a home rule charter adopted under and pursuant to Section 36, Article 4, of the state constitution, in addition to all other powers now possessed by the city, shall have the power and authority and is hereby empowered and authorized to acquire the land necessary for and to construct, erect, maintain, own, operate and manage a public auditorium building in the city, suitable for the accommodation of large gatherings of people on public occasions, and for the maintenance of public baths and an athletic floor for the conduct of indoor public games, and for the use, convenience and benefit of the city and the inhabitants thereof, and to annually levy and collect the necessary taxes therefor, in addition to all other taxes authorized to be levied and collected by the city.

Sec. 3. Property may be condemned.—The city council shall have the power and authority to acquire the land necessary for such public auditorium building by purchase, or by lease or by gift or by condemnation proceedings under the power of eminent domain. When such land is acquired by the city under the right of eminent domain, the condemnation proceedings for that purpose shall be commenced and conducted by the city council under and pursuant to the provisions of Chapter 41, Revised Laws of Minnesota 1905, and the acts of the legislature amendatory thereof and supplementary thereto.

The city, upon giving the notice required by Section 2528, Revised Laws of Minnesota 1905, may enter upon and appropriate the lands so condemned without the giving of any bonds, but in case of such entry and appropriation the city shall be bound absolutely to pay all damages awarded, whether by commissioners acting under such laws or by the court upon appeal from their award, together with all costs and expense adjudged against it in said proceedings, and the court shall issue a writ to the sheriff of the county to put the city in possession. In case the city shall take an appeal in any such proceedings it shall not be required to give or file any appeal bond.

Sec. 4. Councils to have full charge and control.—The city council of each such city shall have full charge and control of the construction, erection, maintenance, use, operation and management of such public auditorium building, and shall have power and authority to enter into and make all contracts necessary therefor, and to engage and secure necessary employes in the maintenance,

care, operation and management of such auditorium building, and to fix their compensation.

Sec. 5. Bonds may be issued.—The city council of each such city is hereby further authorized and empowered, in addition to all other powers by it now possessed, from time to time as may be necessary, by resolution duly passed by an affirmative vote of a majority of all the members of the city council, to issue and sell municipal bonds of such city to an aggregate amount not exceeding \$3,000,000.00 for the purpose of aiding in defraying the cost of acquiring land for and constructing, erecting and equipping such public auditorium building in the city, said bonds or any part thereof may be sold upon two weeks published notice of the sale thereof.

The bonds issued by any such city under this act for the purposes hereinbefore specified shall not run for a longer period than twenty years from their date, or bear a higher rate of interest than 5 per cent per annum, payable semi-annually.

The place of the payment of the principal and interest of such bonds and the denomination in which the same shall be issued and the rate of interest thereon shall be determined by the city council. All such bonds shall be signed by the mayor and countersigned by the city comptroller and attested by the city clerk, and shall be sealed with the seal of the city issuing the same, except that the signatures to the interest coupons attached thereto if any may be lithographed thereon. None of such bonds shall be sold for less than their par value and accrued interest, and then only to the highest responsible bidder therefor.

Sec. 6. Bonds in excess of charter limitations authorized.—The bonds hereby authorized or any part thereof may be issued and sold by each such city notwithstanding any limitation contained in the charter of said city or in any law of this state prescribing or fixing any limit upon the bonded indebtedness of the city, but the full faith and credit of such city shall at all times be pledged for the payment of any such bonds issued under this act and for the payment of the current interest thereon, and the city council of such city shall without fail annually levy a tax upon the assessable property in such city, in addition to all other taxes, sufficient in amount to provide for the payment of the interest on said bonds as it accrues and for the accumulation of a fund for the redemption of such bonds at their maturity. Such fund may be invested under the direction and with the approval of the city council in the bonds of the city issuing the same, or such bonds as are permitted for the investment of the permanent school fund of the state of Minnesota, or in the bonds of any city in the State of Minnesota having a population of five thousand or more, or in such county or school bonds in the state of Minnesota as may be approved by the city council. In case of the investment of said funds in the bonds of the city issuing the

same, such bonds shall not be cancelled but shall be held by the city and the interest thereon paid over and applied to the increase of said fund.

Whenever the principal of any of the bonds issued by the city hereunder shall become due, the city council shall dispose of as many of the bonds belonging to such fund as, with the money on hand belonging to said fund, shall be necessary to pay such bonds becoming due as aforesaid. The moneys, bonds and securities belonging to such fund shall not be used or diverted to any other purpose than for the payment of the bonds issued by the city under this act, and the interest thereon unless and until all bonds issued hereunder shall be fully paid and satisfied. Upon the full payment of all bonds issued under this act, any funds or securities remaining in said fund may be used by the city in payment of the bonded indebtedness of the city or for such public purposes as shall be determined by the city council. The amount of all such bonds issued by any such city under this act shall be exempt from and shall not be counted or included in the net indebtedness of the city or in any computation of the city's outstanding indebtedness for the purpose of determining the limit of the net bonded indebtedness of the city.

Sec. 7. Funds to be placed in city treasury—Auditorium fund—Uses.—The proceeds of all such bonds and the taxes levied and collected by the city council under this act, other than the taxes levied for the payment of the principal of said bonds and the interest thereon, and all moneys and revenues derived from such auditorium building and premises, shall be placed in the city treasury and credited to a fund to be known as the auditorium fund, and shall be used by the city only for the purposes specified in this act.

Sec. 8. Authorization by voters.—Before any such city shall issue or sell any bonds of the city under the provisions of this act the proposition to issue and sell such bonds shall first be submitted by the city council to the qualified electors of the city at a general or primary election or at a special election called by the city council for that purpose, and approved by a majority of the votes cast upon such proposition by the qualified voters of the city present and voting upon such proposition at such election. The city council may call such special election at any time, and shall make provisions for the submission of such proposition, upon a separate ballot, to the electors of the city at any general, primary or special election in the city, and shall cause at least fifteen (15) days posted notice to be given of such submission and election in each election district of the city.

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved February 14, 1923.